

Application No. 10/689170
Page 4

Amendment
Attorney Docket No. A66.2H-8607-US03

Remarks

This Amendment is in response to the Office Action dated June 30, 2004.

In the Office Action dated June 30, 2004, the Examiner objected to claim 29 due to a typographical error with respect to the spelling of the word "limiter". Applicant has corrected the spelling error in the Amendment herein. Applicant respectfully asserts that the correction of the spelling error herein is not intended to, and has no impact upon, the scope of the claims as originally presented within this application.

The Examiner next rejected claims 29-33, 35, 37-39, and 48-49, under the judicially created doctrine of obviousness-type double patenting in view of U.S. Patent No. 6,662,605 to Molzer.

The Examiner next rejected claims 34, 36, and 41-42 under judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,354,119 to Molzer.

Applicant has enclosed herewith a Terminal Disclaimer related to both the Molzer '119 patent and the Molzer '605 patent.

Applicant wishes to thank the Examiner for the indication of allowable subject matter herein.

Applicant respectfully asserts that the enclosed Terminal Disclaimer related to the Molzer '605 patent and Molzer '119 patent overcome the judicially created doctrine of obviousness-type double patenting rejection as raised by the Examiner herein.

Reconsideration and allowance of the application as amended is respectfully requested. Applicant believes that the Terminal Disclaimer as provided herein is in full compliance with 37 C.F.R. §1.321(c); 37 C.F.R. §1.130(b); and 37 C.F.R. §3.73(b).

Applicant respectfully requests reconsideration and allowance of the application as amended herein. If the Examiner has any questions concerning the enclosed Amendment and Terminal Disclaimer, the Examiner is cordially invited to contact the undersigned by telephone, facsimile, and/or E-mail. Applicant respectfully requests reconsideration and allowance of the application herein.

Application No. 10/689170
Page 5


Amendment
Attorney Docket No. A66.2H-8607-US03

Claims 29-49 remain in the application.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: September 29, 2004

By: 
Edwin E. Voigt II
Registration No.: 36042

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

f:\wpwork\eev\08607us03_and_20040928.doc